



Reprinted  
March 24, 2009

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## ENGROSSED SENATE BILL No. 254

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DIGEST OF SB 254 (Updated March 23, 2009 2:31 pm - DI 75)

**Citations Affected:** IC 3-5; IC 3-7.

**Synopsis:** Voter ID and voter registration. Provides that an identification document issued by the Department of Defense, a branch of the uniformed services, the Merchant Marine, or the National Guard that has an indefinite expiration date is an acceptable proof of identification for voting. Provides that identification issued by an approved Indiana postsecondary educational institution that has no expiration date or an indefinite expiration date is sufficient proof of identification to vote. Provides that an identification document issued by the Peace Corps is sufficient proof of identification to vote. Provides that certain individuals under the supervision of the criminal justice system may not be employed by a county board of voter registration.

**Effective:** July 1, 2009.

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**Breaux, Stutzman, Landske, Kruse,  
Errington, Young R Michael**  
(HOUSE SPONSORS — DAY, RICHARDSON, BARNES)

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January 7, 2009, read first time and referred to Committee on Elections.  
February 16, 2009, amended, reported favorably — Do Pass.  
February 19, 2009, read second time, ordered engrossed.  
February 20, 2009, engrossed.  
February 24, 2009, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 2, 2009, read first time and referred to Committee on Elections and Apportionment.  
March 19, 2009, amended, reported — Do Pass.  
March 23, 2009, read second time, amended, ordered engrossed.

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ES 254—LS 7276/DI 102+



First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 254

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A BILL FOR AN ACT to amend the Indiana Code concerning elections.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 3-5-2-40.5, AS ADDED BY P.L.109-2005,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2009]: Sec. 40.5. **(a) Except as provided in subsection (b),**  
4       "proof of identification" refers to a document that satisfies all the  
5       following:  
6               (1) The document shows the name of the individual to whom the  
7               document was issued, and the name conforms to the name in the  
8               individual's voter registration record.  
9               (2) The document shows a photograph of the individual to whom  
10              the document was issued.  
11              (3) The document includes an expiration date, and the document:  
12                  (A) is not expired; or  
13                  (B) expired after the date of the most recent general election.  
14              (4) The document was issued by the United States or the state of  
15              Indiana.  
16       **(b) Notwithstanding subsection (a)(3), a document issued by the**  
17       **United States Department of Defense, a branch of the uniformed**

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services, the Merchant Marine, or the Indiana National Guard that:

(1) otherwise complies with the requirements of subsection (a); and

(2) states that the document has an indefinite expiration date; is sufficient proof of identification for purposes of this title.

(c) Notwithstanding subsection (a)(3), a document that:

(1) is issued by an approved postsecondary educational institution (as defined in IC 21-7-13-6(a));

(2) otherwise complies with subsection (a); and

(3) has no expiration date or states that the document has an indefinite expiration date;

is sufficient proof of identification for purposes of this title.

(d) Notwithstanding subsection (a)(3), a document issued by the Peace Corps that otherwise complies with the requirements of subsection (a) is sufficient proof of identification for purposes of this title.

SECTION 2. IC 3-7-12-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 19. (a) **Subject to subsection (c)**, a board of registration may employ all necessary assistants.

(b) The number of employees shall be divided equally between the major political parties of the county.

(c) **A person who is:**

(1) on probation;

(2) on parole;

(3) subject to home detention under IC 35-38-2.5;

(4) placed in a community corrections program under IC 35-38-2.6;

(5) in a community transition program under IC 11-10-11.5;

(6) participating in a postconviction forensic diversion program under IC 11-12-3.7;

(7) being supervised by a reentry court;

(8) serving a sentence in a minimum security assignment under IC 35-38-3-6; or

(9) serving an intermittent sentence;

may not be an employee of, or otherwise perform work for, a board of registration.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 254, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 5, delete "has no expiration date or".

and when so amended that said bill do pass.

(Reference is to SB 254 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 11, Nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 254, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, after line 6, begin a new paragraph and insert:

**"(c) Notwithstanding subsection (a)(3), a document that:**

**(1) is issued by an approved postsecondary educational institution (as defined in IC 21-7-13-6(a));**

**(2) otherwise complies with subsection (a); and**

**(3) has no expiration date or states that the document has an indefinite expiration date;**

**is sufficient proof of identification for purposes of this title.**

**(d) Notwithstanding subsection (a)(3), a document issued by the Peace Corps that otherwise complies with the requirements of subsection (a) is sufficient proof of identification for purposes of this title."**

and when so amended that said bill do pass.

(Reference is to SB 254 as printed February 17, 2009.)

BATTLES, Chair

Committee Vote: yeas 7, nays 5.



## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 254 be amended to read as follows:

Page 2, after line 17, begin a new paragraph and insert:

"SECTION 2. IC 3-7-12-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 19. **(a) Subject to subsection (c),** a board of registration may employ all necessary assistants.

**(b)** The number of employees shall be divided equally between the major political parties of the county.

**(c) A person who is:**

- (1) on probation;**
- (2) on parole;**
- (3) subject to home detention under IC 35-38-2.5;**
- (4) placed in a community corrections program under IC 35-38-2.6;**
- (5) in a community transition program under IC 11-10-11.5;**
- (6) participating in a postconviction forensic diversion program under IC 11-12-3.7;**
- (7) being supervised by a reentry court;**
- (8) serving a sentence in a minimum security assignment under IC 35-38-3-6; or**
- (9) serving an intermittent sentence;**

**may not be an employee of, or otherwise perform work for, a board of registration."**

Re-number all SECTIONS consecutively.

(Reference is to ESB 254 as printed March 20, 2009.)

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